

**MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD
ON WEDNESDAY, APRIL 27, 2016 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS**

MAYOR: Tonita Gurule-Giroń

COUNCILORS: Vincent Howell
David A. Ulibarri, Jr.
Barbara A. Casey
David L. Romero

ALSO PRESENT: Ann Marie Gallegos – Acting City Manager
Casandra Fresquez – City Clerk
H. Chico Gallegos – City Attorney
Juan Montano – Sergeant At Arms

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Casey thanked our Heavenly Father for bringing everyone back together once again and to help the Governing Body to do a good job in representing the citizens of Las Vegas. Councilor Casey asked God to help the Governing Body in keeping the public's best interests in mind, to work in collaboration with each other and to learn and grow together as they do their best to better the lives of the community.

APPROVAL OF AGENDA

Councilor Casey made a motion to approve the agenda as is. Councilor Howell seconded the motion. Mayor Gurule-Giroñ asked for roll call. Roll Call Vote was taken reflected the following:

David L. Romero	Yes	David A. Ulibarri, Jr.	Yes
Vincent Howell	Yes	Barbara A. Casey	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

APPROVAL OF MINUTES

Councilor Casey advised that she had previously addressed City Clerk Fresquez about corrections that needed to be made to the meeting minutes and asked Council when approving minutes, to include in the motion “with corrections”.

Councilor Ulibarri, Jr. made a motion to approve the minutes with corrections, for March 9th, Special Meeting, March 9th, Work Session and March 16, 2016. Councilor Howell and Councilor Romero seconded the motion. Mayor Gurule-Giroñ asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David L. Romero	Yes
David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

MAYOR’S APPOINTMENTS/REPORTS

Mayor Gurule-Giroñ advised that she had no appointments at the time however wanted to thank Finance Director Gallegos, City Clerk Fresquez and their staff for working diligently on closing out the fiscal year. Mayor Gurule-Giroñ informed the Council and the community that Finance Director Gallegos would explain the extra pay period and the fiscal impacts it would have on the community.

Finance Director Ann Marie Gallegos advised that 26 pay periods are normal for a fiscal year and explained that due to the first pay period landing on July 1st and last pay period would be on June 30th, resulted in 27 pay periods. Finance

Director explained that it would be worked in to the budget and adjustments would be made regarding the increased number of hours in every department.

Finance Director Gallegos added that the payroll budget was approximately \$500,000.00 per pay period throughout the City.

Mayor Gurule-Giroń asked Finance Director Gallegos to explain the status of the Gross Receipts Tax (GRT).

Finance Director Gallegos clarified that April had been an extremely positive month for revenue and added that they were optimistic about the next three months regarding the GRT, due to Graduation and the Fiestas quickly approaching. Finance Director Gallegos added that Health, Dental & Vision Insurance had increased by 1% and had been worked in to the budget. Finance Director Gallegos explained that she is working closely with Department Directors balancing the budget and closing out the fiscal year on a positive note.

Mayor Gurule-Giroń asked what the progress was regarding the City's budget.

Finance Director Gallegos advised that she would have the final numbers in the next couple of days and explained that Department Directors would present to the Governing Body, goals and objectives for their Departments and added that the Finance Department would work the budget according to those goals and objectives for the year.

MAYOR'S RECOGNITIONS/PROCLAMATIONS

Mayor Gurule-Giroń advised that she had no Recognitions or Proclamations at this time but informed that she had scheduled a Proclamation in honor of Arbor Day on Friday.

PUBLIC INPUT

Bob Wessely advised that he was impressed with the City's progress regarding the decayed water system and the various on-going water projects. Mr. Wessely explained that despite all the complexities that come with the process, the City

continues to make great progress and continues to work on a variety of projects that involve water and encouraged the City to keep the momentum going.

Virginia Marrujo gave a brief overview of the services provided by the Jr. Chamber of Commerce (Jaycees) and explained that they were recognized as their own State, National and International entity. Ms. Marrujo spoke of several local organizations that the Jaycees have worked in collaboration with.

Ms. Marrujo advised that as part of showing their appreciation of working together with the Governing Body they wanted to present Mayor Gurule-Giroñ with a Certificate to welcome her as Mayor and also presented each Council Member with an honorary membership to Jaycees and added that the Jaycees strive for unity in the City of Las Vegas.

Miguel Angel informed that the next upcoming event from Casa de Cultura was the 5th Annual Cinco de Mayo Festivities and the 10th Annual Dia de Los Muertos Art Exhibit would be held in November at Burris Hall at Highlands University.

Mr. Angel briefly spoke on the lack of culture in our community and the importance of developing a culturally centered community due to an erosion of the culture in the community, loss of customs, traditions and stability. Mr. Angel asked Council how important culture was to them in the agenda of the Governing Body and expressed that Casa de Cultura needed support from the Governing Body and added that Council members very rarely attended cultural events held by Casa de Cultura.

Mayor Gurule-Giroñ spoke on behalf of the Governing Body regarding Mr. Angel's statement of the Governing Body not attending the cultural events.

Mayor Gurule-Giroñ explained that her commitment to Casa de Cultura had been enormous and added that she assisted them in acquiring grants to move programs forward. Mayor Gurule-Giroñ stated that she believed that several Council members had attended cultural events in the past and added that there may be times that the agenda is full, however the Governing Body would continue to support Casa de Cultura and any cultural event held in the community.

CITY MANAGER'S REPORT

Acting City Manager Gallegos advised that Public Facilities Director Martin Gonzales would report on three ongoing projects.

Public Facilities Director Gonzales advised that the South Pacific paving project was underway however it had to be delayed until the following week to complete, due to cold and wet weather. Public Facilities Director Gonzales added that there were issues with the current scrub Seal Company regarding mobilization costs although other alternatives were being looked at.

Public Facilities Director Gonzales reported that the City is working with H.R. Construction on the Bike Path project at the River Walk which would be completed by the end of June 2016, weather permitting; the cost was \$201,000.00 and added that it would run from Prince Street to Mills Avenue and into the county area.

Public Facilities Director Gonzales informed that the Recreation Center project was in progress with the help of the City's internal forces from Waste Water Department regarding water testing which resulted in high e-coli and fecal levels.

Public Facilities Director Gonzales explained the water stabilization process that was performed and advised that a shock test was completed to lessen the chlorine. Public Facilities Director Gonzales advised that the water was clarified and now stabilized and added that further testing would take place from the Waste Water Department in order to accept the water from Waste Water.

Public Facilities Director Gonzales advised that working with the City's internal forces allows for savings on costs, also to do more and stay within budget. Public Facilities Director Gonzales further advised that air tests, abatement of pigeon guano, work on vents and heating system would also be taking place.

Councilor Howell thanked Public Works Director Gonzales for addressing the issues regarding the repair of pot holes within areas of Ward 2.

Public Facilities Director Gonzales explained that his crew was important and that they should be recognized for the work well done.

FINANCE REPORT

Finance Director Gallegos presented the Finance Report ending March 31, 2016, reporting that the General Fund Revenue came in at seventy four percent, as projected and expenditures were at sixty four percent. Finance Director Gallegos advised that expenditures would continue to be monitored and added that she was interested in updating the April report to review numbers and observe how projections are coming along.

Councilor Howell asked if the financial responsibilities for the previous City Manager and City Attorney would be taken care of in this budget.

Finance Director Gallegos informed Councilor Howell that the expenditures regarding the previous City Manager and City Attorney would reflect in the report ending April 2016.

Finance Director Gallegos advised that the revenue for the Recreation Department came in at seventy three percent and expenditures were at seventy four percent and advised that they would continue to monitor them to keep them where they should be.

Finance Director Gallegos reported that the Enterprise Funds revenue was at seventy three percent and the expenditures came in at sixty six percent, both were in line with projections.

Finance Director advised that the Quarterly Report was being prepared by her staff and would be brought to Council for review and recommendations and added that the report would provide an outlook of funding as of March 31st.

CONSENT AGENDA

City Clerk Fresquez read the consent agenda as follows:

1. Approval to renew the 2016 Audit Contract with RPC CPAs + Consultants, LLP.
2. Approval of Resolution #16-19 Budget Adjustment Resolution.

Resolution 16-19 was presented as follows:

STATE OF NEW MEXICO
MUNICIPALITY OF CITY OF LAS VEGAS
BUDGET ADJUSTMENT RESOLUTION NO. 16-19

WHEREAS, The Governing Body in and for the Municipality of Las Vegas, State of New Mexico has developed a budget for fiscal year 2016; and

WHEREAS, said budget adjustments were developed on the basis of an increase in revenues and expenditures, transfers in/or out in various funds; and

WHEREAS, increase/decrease in revenues, expenditures, transfer in, and transfers out to be funded by additional grant funds and;

WHEREAS, the City of Las Vegas is in need of making adjustments to the 2016 fiscal year budget;

WHEREAS, it is the majority opinion of this Council that the budget adjustment meets the requirement as currently determined for fiscal year 2016;

NOW, THEREFORE, the Governing Body of the City of Las Vegas passes this budget resolution for budget adjustments, PASSED, APPROVED AND ADOPTED THIS 27th DAY OF April 2016.

Mayor

ATTEST:

Casandra Fresquez, City Clerk

Reviewed and Approved as to Legal Sufficiency Only:

H. Chico Gallegos, City Attorney

3. Approval to amend Agreement #3084-15 with the Las Vegas/San Miguel Chamber of Commerce (LVSMCC) to include hospitality training services.
4. Approval to purchase road maintenance equipment.
5. Approval to Award request for bids #2016-25 for hydraulic fusion machine with all inserts 4" thru 12" and any applicable attachments of accessories to the low bidder.
6. Approval of Fair Housing Resolution #16-20 with Required Elements.

Resolution 16-20 was presented as follows:

FAIR HOUSING RESOLUTION #16-20 WITH REQUIRED ELEMENTS

A resolution of the Mayor and Council of the City of Las Vegas, adopting a fair housing policy, making known its commitment to the principle of fair housing, and describing actions it shall undertake to affirmatively further fair housing.

WHEREAS; the Housing and Community Development Act of 1974 as amended requires that all applicants for Community Development Block Grant funds certify that they shall affirmatively further fair housing; and

WHEREAS; the Civil Rights Act of 1968 (commonly known as the Federal Fair Housing Act) and the Fair Housing Amendments Act of 1988 declare a national policy to prohibit discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing or in the provision of brokerage services, on the basis of race, color, religion, sex, disability, familial status or national origin; and

WHEREAS; fairness is the foundation of the American system and reflects traditional American values; and

WHEREAS; discriminatory housing practices undermine the strength and vitality of America and its people;

NOW, THEREFORE, BE RESOLVED THAT the Mayor and Council of the City of Las Vegas hereby wish all persons living, working, doing business in or traveling through this City to know that: discrimination in the sale, rental, leasing, and financing of housing or land to be used for construction of housing, or in the provision of brokerage services on the basis of race, color, religion, sex, handicap, familial status or national origin is prohibited by Title VIII of the Fair Housing Act Amendments of 1988; and that it is the policy of the City of Las Vegas to implement programs, within the constraints of its resources, to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap, familial status or national origin; and within available resources the City of Las Vegas will assist all persons who feel they have been discriminated against in housing issues on the basis of race, color, religion, sex, handicap, familial status or national origin to seek equality under existing federal and state laws to file a complaint with the New Mexico Attorney General's Office or the U.S. Department of Housing and Urban Development; and that the City of Las Vegas shall publicize this Resolution and thereby encouraging owners of rental properties, developers, builders and others involved with housing to become aware of their respective responsibilities and rights under the Fair Housing Amendments Act of 1988 and any applicable state or local laws or ordinances; and that the City of Las Vegas shall undertake the following actions to affirmatively further fair housing: mailing copies of this resolution to the real estate community, banks, developers, community organizations and local media; posting copies of this resolution at identified locations; distributing flyers and fair housing information to the schools.

PASSED AND ADOPTED BY THE Mayor and City Council of the City of Las Vegas on this _____ day of April 2016

Tonita Gurule-Giron, Mayor

ATTEST:

APPROVED AS TO FORM:

Casandra Fresquez, City Clerk

H. Chico Gallegos, City Attorney

Councilor Casey made a motion to approve the Consent Agenda as read into the record. Councilor Romero seconded the motion. Mayor Gurule-Giroñ asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes
David L. Romero	Yes	Vincent Howell	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

BUSINESS ITEMS

1. Approval/Disapproval of purchase agreement in the amount of \$89,224.45 between MCT Industries and the City of Las Vegas Solid Waste Department.

Solid Waste Director Matt Griego advised that the Trailer will be used for the transportation of waste collected by the City’s Solid Waste Department to a designated landfill as per New Mexico Environment Department permit #SWM-250605. Solid Waste Director Griego added that all safety measures would be taken regarding the utilization of the trailer.

Council Howell made a motion to approve the purchase agreement in the amount of \$89,224.45 between MCT Industries and the City of Las Vegas Solid Waste Department. Councilor Romero seconded the motion. Mayor Gurule-Giroñ asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Yes
Vincent Howell	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

2. Approval/Disapproval of City Manager’s Professional Service Contract.

Mayor Gurule-Giroñ advised that in accordance with the City of Las Vegas, New Mexico Municipal Charter Article V, Section 5.01 A., a city manager was appointed by the Mayor and approved by Council on April 19, 2016 at the Organizational meeting. The Governing Body shall enter into a contract with the city manager which shall establish, among other matters, compensation, benefits, duties and responsibilities.

Mayor Gurule-Giroñ advised that the Professional Service Contracts had been discussed in clearer detail and informed that an independent attorney was hired to review the contracts.

Mayor Gurule-Giroñ stated for the record, *“that we did review the City Manager’s, City Clerk’s and Chief of Police’s contracts, independent of our current Attorney and with respect to the integrity of the process, I did also hire an independent Attorney Danelle Smith, to review his independent contract of course, her and I both reviewed that, and Mrs. Fresquez, you were involved in that process as well, after we did that, then of course she sat down with our current Attorney Mr. Gallegos.”*

Mayor Gurule-Giroñ advised that she was asking for the approval of the City Manager’s Professional Contract. Mayor Gurule-Giroñ asked if there were any questions or if there were any requests for Executive Session.

Councilor Howell advised that all his questions were addressed to his satisfaction by the Mayor regarding the Professional Services Contracts and added that he looked forward to working with the new administration. Councilor Howell made a motion to approve the City Manager’s Professional Service Contract. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurule-Giroñ asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

3. Approval/Disapproval of City Attorney’s Professional Service Contract.

Mayor Gurule-Giroñ advised that in accordance with the City of Las Vegas, New Mexico Municipal Charter Article V, Section 5.04 C., a city attorney was appointed by the Mayor and approved by Council on April 19, 2016 at the Organizational meeting. The Governing Body shall enter into a contract with the city attorney which shall establish, among other matters, compensation, benefits duties and responsibilities.

Mayor Gurule-Giroñ welcomed any questions or comments regarding the City Attorney’s contract.

Councilor Howell made a motion to approve the City Attorney’s Professional Contract. Councilor Casey seconded the motion. Mayor Gurule-Giroñ asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

4. Approval/Disapproval of City Clerk’s Professional Service Contract.

Mayor Gurule-Giroñ advised that in accordance with the City of Las Vegas, New Mexico Municipal Charter Article V, Section 5.05 C., the City Clerk was appointed by the Mayor and approved by Council on April 19, 2016 at the Organizational meeting. The Governing Body shall enter into a contract with the city attorney which shall establish, among other matters, compensation, benefits, duties and responsibilities.

Mayor Gurule-Giroñ welcomed any questions or comments regarding the City Clerk’s contract.

Councilor Casey made a motion to approve the City Clerk’s Professional Services Contract. Councilor Romero and Councilor Howell seconded the motion. Mayor Gurule-Giroñ asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	David A. Ulibarri, Jr.	Yes
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Barbara A. Casey Yes Vincent Howell Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

5. Approval/Disapproval of Chief of Police Professional Service Contract.

Mayor Gurule-Giroñ advised that in accordance with the City of Las Vegas, New Mexico Municipal Charter Article V, Section 5.06 B., the Chief of Police was appointed by the Mayor and approved by Council on April 19, 2016 at the Organizational meeting. The Governing Body shall enter into a contract with the city attorney which shall establish, among other matters, compensation, benefits, duties and responsibilities.

Mayor Gurule-Giroñ welcomed any questions or comments regarding the City Attorney's contract.

Councilor Howell made a motion to approve the Chief of Police Professional Service Contract. Councilor Romero seconded the motion. Mayor Gurule-Giroñ asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David L. Romero	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

COUNCILOR'S REPORTS

Councilor Howell advised that he was pleased with the open door policy regarding the discussion of the Professional Services Contracts with the Mayor and added that the next four years were going to be challenging but exciting by way of the numerous upcoming events. Councilor Howell stated that the focus of the Governing Body should be on the community's needs.

Mayor Gurule-Giroñ thanked the Council for their commitment to the City, the employees and to the community, and added that it has been a great pleasure working with them, thus far. Mayor Gurule-Giroñ expressed the importance relating to openness and transparency to the public and to staff as well.

EXECUTIVE SESSION

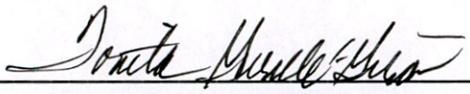
Mayor Gurule-Giroń advised that there was no need for Executive Session.

ADJOURN

Councilor Casey and Councilor Howell made a motion to adjourn. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurule-Giroń asked for roll call. Roll Call Vote was taken and reflected the following:

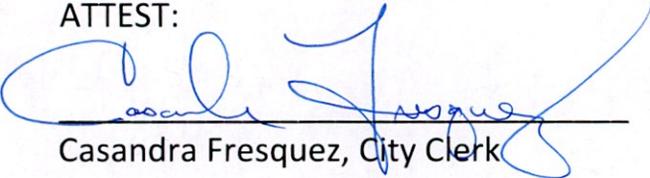
David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.



Mayor Tonita Gurule-Giroń

ATTEST:



Casandra Fresquez, City Clerk